F. DULLES MANU

Chapter IX. Intelligence in our Free Society

Is a secret intelligence service a danger to our free society?

From time to time the charge is made that an intelligence or security service may become a threat to our freedoms and that there may be something sinister about the secrecy which surrounds its operations, which could be inconsistent with the workings of a free society. There has been some sensational writing about C.I.A. supposedly making its own policy, and about black books, black satchels and black lists. The Soviet Union and its Communist allies - and I took this as a compliment and as a measure of their fear of the C.I.A. - have consistently and persistently been mounting the most vicious attacks on American intelligence by press, radio and by all other means of communication. Many of these are through press media which are not immediately recognisable as of Communist origin. Left wing writers have taken up the refrain and at times publicists of more respectability have been misled into repeating a good deal of Communist propaganda on the subject.

I have already pointed out that in Russia, both Tsarist and Soviet, in Germany, in Japan under the warlords before and during World War II and in certain other countries, security services, which exercised some intelligence functions also, were used to help a tyrant or a totalitarian society to suppress freedoms at home and to carry out mischievous operations abroad.

DEC 1962

All this has been designed to confuse, confound and mislead - even those who have no leftist bias whatsoever. Even the FBI with its long record of outstanding service to the Nation and the considerable publicity that can, and has been, given to its work, has not been wholly immune to unjustified attack.

Harry Howe Ransom, who has written one of the best studies on "Central Intelligence and National Security" (Harvard University Press, 1958), puts the issue this way:

> "CIA is the indispensable gatherer and evaluator of world-wide facts for the National Security Council. Yet to most persons CIA remains a mysterious, super-secret, shadow agency of government. Its invisible role, its power and influence, and the secrecy enshrouding its structure and operations, raise important questions regarding its place in the democratic process. One such question is: How shall a democracy insure that its secret intelligence apparatus becomes neither a vehicle for conspiracy nor a suppressor of the traditional liberties of democratic self-government?" (page vi)

Quite recently from a rather unexpected quarter comes a comment by Supreme Court Justice William O. Douglas. He suggests that "the press does not cover the operations of the Pentagon adequately, nor" says he, "can it report truthfully on the C.I. A." which he alleges - generates "policies" the dangers of which "are not known even to many of the informed press". (Freedom of the Mind. American Library Association. December 1962.)

It is understandable that a relatively new organization in our Government's structure like the CIA should - despite its desire for anonymity - receive more than its share of publicity and be subject to questioning and to attack.

I propose to answer this attack. In fact, in writing this analysis of intelligence, I have been motivated by the desire to put intelligence in our free society in its proper perspective.

In the first place, as I have already indicated, CIA is a publicly-recognized institution of Government. Its duties, place in our Government structure and the controls surrounding it are set forth in public statutes. It was set up under act of Congress in 1947 on the recommendation of the president after exhaustive Congressional hearings and with practically unanimous bi-partisan support. The law specifically provides "that the Agency shall have no police, subpoena, law enforcement powers or internal security functions". It does not make policy but all its actions must be consistent with the Government's policy and, as I shall demonstrate, approved by those responsible for our policy.

Like the Departments of State and Defense, it has certain publicly-assigned functions. At the same time, as in the case of these other Departments of Government, much about its work must be kept secret.

This country certainly wants no part or parcel of an organization like the Okhrana of the Tsars, or the NKVD of a Stalin or [redacted] a KGB of a Khrushchev. We have been nauseated by what we have read of the Sicherheitsdienst, the security service of a Himmler and by the military secret service of Japan in the pre-war days.

The very nature of our Government and of our society under the Constitution and the Bill of Rights, would outlaw an organization such as those I have mentioned as developing in "police" states. They could never take root in this country. But there are also a whole group of safeguards surrounding the work of CIA, both legal and practical.

The Central Intelligence Agency is placed directly under the National Security Council, which in effect means that it is under the President. It is the Chief Executive himself who has the responsibility for overseeing the operations of the CIA, which is subject to National Security Council directives issued under the authority of the National Security Act of 1947. This act provides that in addition to the duties and functions specifically assigned under law, the CIA should:

"perform for the benefit of the existing intelligence agencies such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally"; and "perform such other functions and duties relating to intelligence affecting the national security as the National Security Council may from time to time direct".

The CIA has no authority to engage in activities not assigned specifically under law or under Security Council directive, nor does it do so.

It is the President who selects, and the Senate which confirms, the Director and the Deputy Director of the Agency, and this choice is no routine affair. In the fifteen years since the Agency was created, it has had four Directors: (1) Vice Admiral Roscoe Henry Hillenkoetter, who had distinguished service

in the Navy and in Naval Intelligence; (2) General Walter Bedell Smith, who in addition to an outstanding military career, for almost three years was American Ambassador to the Soviet Union before he was Director and afterwards Undersecretary of State; (3) the writer - and here any comment by me would be out of place, except at least to mention a long period of Government service and many years in intelligence work; and (4) John A. McCone, who before being named Director in 1961 had done outstanding service in both the Truman and the Eisenhower administrations in many important Government posts - as a member of the President's Air Policy Commission, as a Deputy to the Secretary of Defense, as Undersecretary of the Air Force, and then as Chairman of the United States Atomic Energy Commission.

The law contemplates a form of joint civilian and military leadership of the Agency, in that a civilian must be either in the position of Director or Deputy Director. While theoretically it is possible to have both of these jobs in civilian hands, there cannot be, as the law now stands, military men in both positions. The practice over the last decade has been to have a military and a civilian in these two positions. The last two Directors have been civilians with highly experienced military men as Deputy Directors - General Pearre Cabell during the period of my own Directorship, and now under John McCone, Lieutenant General Marshall Carter.

I stress the point of leadership because both the Executive and the Legislative branches of Government have a

right to look to the leadership of the Agency for the highest degree of integrity and of responsibility.

From my own experience in the Agency, under three Presidents, I can speak with assurance in stating that the President takes a deep and continuing interest in the operations of the Agency.

President Eisenhower was Chief Executive during eight of my eleven years as Deputy and Director of CIA. I had many talks with him about the day-to-day workings of the Agency, particularly about the handling of its funds. I recall his telling me that we should set up procedures in the Agency for the internal accounting of unvouchered funds, i.e., funds appropriated by the Congress and expendable on the signature of the Director, which would be even more searching, if that were possible, than those of the General Accounting Office. While obviously many expenditures must be kept secret as far as the public is concerned, we always stood ready to account to the President, to the CIA Budget Sub-committees of the Congress, and to the Budget Bureau for every penny expended, whatever the purpose.

During the earlier years of the Agency, there were a series of special investigations of its activities. I myself, as I have mentioned, was the head of a Committee of three which reported in 1949 to President Truman on CIA operations. There were also studies made under the auspices of two Herbert Hoover

Commissions, one on the organization of our National Security Organization (1949), and the other in 1955, during my Directorship, which dealt with the organization of the Executive Branch of Government. The intelligence survey in 1955 included a report prepared by a task force headed by General Mark A. Clark and, at about the same time, a special survey of certain of the more secret operations of the Agency was prepared for President Eisenhower by a task force under General James Doolittle. It is interesting to note that General Clark's task force, noting its concern over the dearth of intelligence data from behind the Iron Curtain, called for "aggressive leadership, boldness and persistence". We were urged to do more, not less - the U-2 was already on the drawing boards and was to fly [redacted] within the year.

Following the recommendations of the Hoover Commission of 1955, I discussed with President Eisenhower one of the Commission's recommendations that there should be established a permanent Presidential civilian watchdog board. This would take the place of ad hoc investigation committees from time to time. President Eisenhower thoroughly agreed with this recommendation and appointed a "President's Board of Consultants on Foreign Intelligence Activities", which for some time was chaired by the distinguished head of the Massachusetts Institute of Technology, James R. Killian, Jr. President Kennedy, shortly after he took office, re-constituted this Presidental committee with a slightly modified membership and again under the chairmanship of Dr. Killian.

The files, the records, the activities, the expenditures of the Central Intelligence Agency are open to this Presidential committee, which meets several times a year and whose recommendations and advice I found of inestimable value in my work.

The other recommendation of the Hoover Commission, that a Congressional watchdog committee should also be considered, had a somewhat more stormy history. In 1953, even before the Hoover recommendations, Senator Mike Mansfield had introduced a bill to establish a joint Congressional committee for CIA, somewhat along the lines of the Joint Committee on Atomic Energy. At that time, August 25, 1953, he wrote me a letter to inquire about CIA's relations with the Congress and asked our views on the resolution he had submitted. General Cabell, my Deputy, in my absence abroad, replied that "the ties of the CIA with the Congress were stronger than those which exist between any other nation's intelligence service and its legislative body".

A few years later this issue came to a vote in the Senate on the basis of the resolution sponsored by Senator Mansfield. He had considerable support as thirty-four senators, a bi-partisan group of Democrats and Republicans, were co-sponsors and the resolution had been reported out favorably by the Rules Committee in February of 1956 by a vote of eight to one, but with a strong dissent from Senator Carl Hayden, who was Chairman of the Senate Appropriations Committee. Senator Hayden was supported by Senator Richard Russell, Chairman of the Armed

Services Committee, and by Leverett Saltonstall, the senior Republican member of that Committee. In April 1956 the Senate, after a most interesting debate, gave a surprising majority against the watchdog committee resolution; in fact, far more than I had expected. Senator Russell stated, in opposing the resolution, that "although we have asked him (Allen W. Dulles) very searching questions about some activities which it almost chills the marrow of a man to hear about, he has never failed to answer us forthrightly and frankly in response to any questions we have asked him". The issue was decided when this testimony was supported by the former Vice President and then Senator, Alben Barkley, who spoke from his experience with the information which the CIA had been presenting to the National Security Council, of which he had been a member. This, he said, was so confidential and secret that "I would lose my right arm before I would divulge it to anyone - even to members of my own family." He was joined in opposition by Senator Stuart Symington, who had intimate knowledge of the workings of the Agency as he had been Secretary of the Air Force. On the final vote, which went 59 to 27 against the resolution, fourteen of the measure's original co-sponsors reversed their positions and joined with the majority. They had heard enough to persuade them that for the time being at least, the measure was premature. Not Needed

In the years that followed, resolutions for a watchdog committee have been introduced in both House and Senate

fairly consistently, but it seems quite clear now that unless the President should throw his influence in favor of such a watchdog committee, it would probably not be voted.

Personally, I have always felt that the proliferation of joint committees would tend to change our bicameral system of government. If a joint committee for the CIA were established, why not also have one for the State Department, the Defense Department, and other Executive departments. This might relieve the burden of our harried executives who often have to make very similar reports to the Senate and to the House. But, after all, this bicameral form of government has been established under the Constitution. I believe it should so remain, except to meet particular emergencies of an unusual character.

It is true that we have a Joint Committee for Atomic Energy, but this is truly a unique situation. Here our Government has been forced to go into a multi-billion dollar business, with its economic, industrial and labor problems, as well as the military ones. This special situation may well require special treatment. About the only point of similarity between the atomic energy field and intelligence is that each requires the highest degree of security in the handling of information about it.

Possibly the strongest argument against a special Congressional watchdog committee is the fact that procedures have been set up and have been functioning well for almost a decade whereby the Congress exercises its proper measure of control over what is, after all, very distinctly an Executive function.

The Congress, of course, controls the purse strings and, through the Armed Services Committee, it also oversees legislative and other requirements of the Agency.

The general public impression that the Congress has little to do with CIA and little control over it is a very mistaken one. Control of funds obviously gives a control over the scope of operations - how many people CIA can employ, how much it can do, and to some extent what it can do. Obviously the entire CIA budget cannot be thrown open to general knowledge either in the Congress or even at all widely in the Executive Branch. The same is true with regard to the budgets of all intelligence services, including, for example, the British intelligence services, which also must seek its funds through Parliamentary action.

In the case of our Congress, the procedures for dealing with the budget have been worked out by the Congress itself. But first of all, and even before a Congressional subcommittee sees the CIA budget, there is a review by the Bureau of the Budget which must approve the amount set aside for CIA and this, of course, includes Presidential approval. Then the budget is considered by a subcommittee of the Appropriations Committee of the House as is the case with other Executive departments and agencies. The only difference in the case of the CIA is that the amount of its budget is not publicly disclosed, except to this subcommittee, which includes three members of the majority

and two members of the minority on the Appropriations Committee.

The chairman of the Committee, Mr. Clarence Cannon, and a senior member of the Committee, Mr. John Taber, until his recent retirement, have been included in recent years as members of the CIA budget subcommittee. Two men with longer experience in Congressional procedure and more careful watchdogs of the public treasury could hardly be found. This subcommittee is entitled to see everything they wish to see with regard to the CIA budget and to have as much explanation of expenditures, past and present, as they may wish.

All this was clearly brought out in a dramatic statement that Mr. Clarence Cannon made on the floor of the House on May 10, 1960, just after the failure of the U-2 flight of Gary Powers. Mr. Cannon referred to the incident and added this:

"The plane was on an espionage mission authorized and supported by money provided under an appropriation recommended by the House Committee on Appropriations and passed by the Congress."

He then referred to the fact that the appropriation and the activity had been approved and recommended by the Bureau of the Budget and, like all such expenditures and operations, was under the aegis of the Commander-in-Chief. He then went on to discuss the authority of the subcommittee of the Appropriations Committee to recommend an appropriation for such purposes and also the fact that this had not been divulged to the House and to the country. He went back to World War II days and described the circumstances under which billions of dollars had been appropriated, enough for

the Manhattan project, for the atomic bomb under the same general safeguards as in the case of the U-2: i.e., on the authority of a subcommittee of the Appropriations Committee. He referred to the widespread espionage by the Soviet Union, of the activities of their spies in stealing the secret of the atomic bomb, and alluding to the surprise attack of the Communists in Korea in 1950, justified the U-2 operation in these words:

"Each year", he said, "we have admonished... - the CIA that it must meet situations of this character with effective measures. We told them 'This must not happen again and it is up to you to see that it does not happen again'***and the plan that they were following when this plane was taken, is their answer to that demand."

He took occasion to commend the CIA for their action in sending reconnaissance planes over the Soviet Union for the four years preceding Powers' capture and concluded:

"We have here demonstrated conclusively that free men, confronted by the most ruthless and criminal despotism, can under the Constitution of the United States protect this Nation and preserve world civilization."

His words were echoed by Congressman Taber.

I cite this merely to show the extent to which even the most secret of the CIA's intelligence operations, under appropriate safeguards, have been laid before the representatives of the people in the Congress.

In addition to the scrutiny of CIA activities by the Appropriations Committee, there is also a subcommittee of the Armed Services Committee, originally chaired by Congressman Carl Vinson, who for years had been head of the Armed Services

Committee. To this subcommittee, the Agency reports its current operations to the extent and in the detail the committee desires, dealing here not so much with the financial aspects of operations but with all the other elements of our work. In the Senate, there are comparable subcommittees of the Appropriations and Armed Services Committees.

Fifteen years ago when the legislation to set up a Central Intelligence Agency was being considered, the Congressional committees working on the matter sought my views. In addition to testifying, I submitted a memorandum, published in the record of the proceedings, in which I proposed that a special advisory body for the new agency should be constituted to include representatives of the President, the Secretary of State and the Secretary of Defense. This group should, I proposed, "assume the responsibility for advising and counseling the Director of Intelligence and assure the proper liaison between the Agency and these two Departments and the Executive". This procedure has been followed. All operations of an intelligence character which involve policy considerations are subject to such approval.

Of course, the public and the press remain free to criticize the actions taken in intelligence as in other aspects of our Government's operations when they are exposed by mishap or indiscretion, and they should be free to do so. Nonetheless, actions taken by CIA are not free-wheeling adventures. Of course,

if an intelligence operation goes wrong and publicity results, the intelligence agency and its Director, in particular, must stand ready to assume responsibility where that is possible - that is, if something has to be said. There have been times, as in the case of the U-2 descent on Soviet territory, and the Cuban affair of April 1961, where the Executive has publicly assumed responsibility. Here, for the CIA to attempt to take the position that it, unguided and alone, had planned and carried out the action, would have been tantamount to admitting that the Executive Branch of the Government, which had the responsibility for the CIA and for all actions affecting the national security, was not on the job. Of course, in intelligence operations, silence is the best policy where silence is possible. Sometimes it is not possible without gravely calling into question the vigilance of the Executive.

There are many other safeguards prescribed within the Agency itself, to protect against its meddling in policy matters. Also, it has been established practice that no one in the Agency, from the Director down, may engage in any political activities of any nature, except to vote. A resignation is immediately accepted - or demanded - where this occurs and the political aspirant is given to understand that re-employment in case of any unsuccessful plunge into the political arena is unlikely. Furthermore, as I mentioned earlier, the CIA has, under statute, no police powers of any nature and exercises no investigative functions in the United States, except to clear

Such are some of the safeguards - executive, legislative and other - which surround our intelligence work and help to insure that the CIA under our system of government operates solely within the established policies of government.

After all, however, the most important safeguards must rest on the kind of leadership of the intelligence service and the character of the people who work for it. The efficacy of our laws and regulations depend upon the respect of our citizens for them, as well as upon the courts which enforce them. The hopes or fears which our citizens may have in regard to American intelligence and its operations must, therefore, center in the last analysis on the kind of men and women we have on the job - their integrity and their respect for the democratic processes and their sense of duty and devotion in carrying out their important and delicate tasks.

After ten years of service, I can testify that I have never seen a group of men and women more devoted to the defense of our country and its way of life than those who are working in the Central Intelligence Agency.

As I mentioned earlier, President Kennedy remarked that the accomplishments of intelligence must largely go unsung. Our people do not go into the service of intelligence for reasons of financial reward or because the service can give them, in return for their work, high rank or public acclaim.

they are there because of the opportunity to serve their country, the fascination of the work and the belief that through this service they personally can make a contribution to our nation's security. Most of the senior officers have had long years of service; and the new recruits, from which the Agency of the future will be built, are chosen with utmost care and given thorough training before they enter on their work.

As I close this report, telling what properly can be told, and I believe should be told of our intelligence work in a free society, I wish to add a note to stress the need - not for more controls - but for all of us to be more alert and alerted, more aggressively prepared to meet the requirements of this age through clearer understanding of the peril.

It is not from our intelligence organization that our liberties are likely to be threatened. It will be rather because we failed to be adequately informed of the nature of the dangers which face us in so many countries today. If we have more Cubas, if we have weakening in some of the countries of the non-Communist world, which are today in jeopardy, then we could well be isolated and our liberties, too, could be threatened.

We understand the military threat in the nuclear-missile age, and we are spending billions, and properly so, to counter it. It is the invisible war which we must meet, Khrushchev's wars of liberation, the subversive threats

orchestrated by the Soviet Communist Party with all its ramifications and fronts, supported by the vigorous penetration activities of their secret agents and espionage. What we must do is not to put chains on intelligence but to continue to support it and enable it to do its work and to play its protective and informative role in preparing us to meet the dangers of this era.